

July 7, 2020

FIRST AMENDED EMERGENCY MANAGEMENT ORDER REGARDING BEACH OPERATIONS

WHEREAS, it is the responsibility of every American to aid in the prevention of the spread of this virus. Our hope is that by imposing these measures quickly and firmly, we will help bring this national emergency to an end quickly and help revitalize the economy we all enjoy as soon as possible.

WHEREAS, Section 418.108(a) of the Texas Government code provides that the presiding officer of the governing body of a political subdivision may declare a state of local disaster; and

WHEREAS, extraordinary measures must be taken to contain COVID-19 and prevent its spread throughout Cameron County, including the quarantine of individuals, groups of individuals, and property and, additionally, including compelling individuals, groups of individuals, or property to undergo additional health measures that prevent or control the spread of disease.

WHEREAS, the transmission of COVID-19 remains significant threat to the health and safety of the community, rates of infection are increasing at an exponential rate, and according to the Cameron County Health Authority and the Administration of all the local hospitals and the number of people admitted to the hospitals, ICU, or placed on ventilators is also dramatically rising; and

WHEREAS, the Mayor has determined that extraordinary emergency measures must be taken to mitigate the effects of this public health emergency; and

THEREFORE, the following are MANDATORY restrictions based on Texas Health and Safety Code Section 122.006, that a city can "adopt rules to protect the health of persons in a municipality" and in accordance with the City's Declaration of a Local State of Disaster for Public Health Emergency issued on March 16, 2020, and section 418.108(A) of the Texas Government Code.

The following will be mandated immediately.

BEACH VENDORS

- Beach vendors can only preset the front-row following the spacing guidelines below.
- All non-single pole shade structures will be prohibited.
- All single-pole shade structures will be separated by a minimum of 15 feet from outside edge/tip of the structure.
- All secondary beach chairs and umbrellas must be stored at the dune line and setup on demand only.
- Chairs and umbrellas must be rented and occupied at the time of setup, for the secondary rows.
- Only two chairs per single pole shade structure will be permitted.

BEACH GOERS

- All non-single pole shade structure will be prohibited.
- All single-pole shade structure will be separated by a minimum of 15 feet from outside edge/tip of the structure.
- Only two chairs per single pole shade structure will be permitted.
- Other setups are prohibited within the 15 feet between the equipment.

This emergency management order will remain in effect until July 31, 2020, at 11:59 p.m.

Peace Officers, City of South Padre Island Health Inspectors, Code Enforcement/Ordinance Officers/Inspectors are hereby authorized to enforce this order. A violation of this order is a Class C Misdemeanor punishable by a fine not to exceed $500.00 in accordance with the City of South Padre Island Code of Ordinances.

Patrick McNulty, Mayor

ATTEST:

Angelique Soto, City Secretary

CITY OF SOUTH PADRE ISLAND